

Handouts for Building Better Youth Outcomes: The Importance of Being Trauma Informed

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Handout 1

Texas Administrative Code
Title 40. Social Services and Assistance
Part 19. Department of Family and Protective Services
Chapter 702. General Administration
Subchapter H. Trauma and Trauma-Informed Care

40 TAC § 702.701

§ 702.701. What is Trauma and Trauma-Informed Care?

Currentness

(a) Trauma results from an event, series of events, or set of circumstances experienced by an individual as physically or emotionally harmful or life-threatening with lasting adverse effects on the individual's functioning or the individual's mental, physical, social, emotional, or spiritual well-being.

(b) An individual, program, organization, or system that is trauma-informed fully integrates knowledge about trauma into policies, procedures, and practices by:

(1) Realizing the widespread impact of trauma, understanding potential paths for recovery, and acknowledging the compounding impact of structural inequities related to culture, history, race, gender, identity, locale, and language;

(2) Recognizing the signs and symptoms of trauma in clients, families, staff, and others involved with the system;

(3) Maximizing physical and psychological safety and responding to the impact of structural inequities on individuals and communities;

(4) Building healthy, trusting relationships that create mutuality among children, families, caregivers, and professionals at an individual and organizational level; and

(5) Striving to avoid re-traumatization.

Credits

Source: The provisions of this §702.701 adopted to be effective February 3, 2021, 46 TexReg 841.

Currency Message: Current through 47 Tex.Reg. No. 600, dated February 4, 2022, as effective on or before February 11, 2022. Some sections may be more current. See credits for details.

40 TAC § 702.701, 40 TX ADC § 702.701

Handout 2

2021 Tex. Sess. Law Serv. Ch. 430 (S.B. 904) (VERNON'S)

VERNON'S TEXAS SESSION LAW SERVICE 2021

Eighty-Seventh Legislature, 2021 Regular Session

Additions are indicated by **Text**; deletions by **Text**.

Vetoes are indicated by **Text**;

stricken material by **Text**.

CHAPTER 430

S.B. No. 904

REQUIRING TRAUMA TRAINING FOR CERTAIN ATTORNEYS

AN ACT

relating to requiring trauma training for certain attorneys.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 107.004, Family Code, is amended by amending Subsection (b–1) and adding Subsections (b–2), (b–3), and (b–4) to read as follows:

<< TX FAMILY § 107.004 >>

(b–1) An attorney who is on the list maintained by the court as being qualified for appointment as an attorney ad litem for a child in a child protection case must:

(1) complete at least three hours of continuing legal education relating to the representation of a child in a proceeding under Subtitle E each year before the anniversary date of the attorney's listing; and

(2) provide proof that the attorney has completed a training program regarding trauma-informed care and the effect of trauma on children in the conservatorship of the Department of Family and Protective Services.

(b–2) The training described by Subsection (b–1)(2) may satisfy the training requirement under Subsection (b–1)(1) in a year in which an attorney completes the training.

(b–3) An attorney described by Subsection (b–1) shall complete the training required by Subsection (b–1)(2) as soon as practicable after the attorney is placed on the list described by Subsection (b–1).

(b–4) The training required by Subsection (b–1)(2) must be designed to educate an attorney regarding the attorney's duty under Subsection (d–3) and include information regarding:

(1) the symptoms of trauma and the impact that trauma has on a child, including how trauma may affect a child's development, emotions, memories, behavior, and decision-making;

(2) attachment and how a lack of attachment may affect a child;

(3) the role that trauma-informed care and services can have in a child's ability to build connections, feel safe, and regulate the child's emotions to help the child build resiliency and overcome the effects of trauma and adverse childhood experiences;

(4) the importance of screening children for trauma and the risk of mislabeling and inappropriate treatment of children without proper screening, including the risks and benefits associated with the use of psychotropic medication;

(5) the potential for re-traumatization of children in the conservatorship of the Department of Family and Protective Services; and

(6) the availability of:

(A) research-supported, trauma-informed, non-pharmacological interventions; and

(B) trauma-informed advocacy to increase a child's access, while the child is in the conservatorship of the Department of Family and Protective Services, to:

(i) trauma-informed care; and

(ii) trauma-informed mental and behavioral health services.

<< Note: TX FAMILY § 107.004 >>

SECTION 2. An attorney who is on the list maintained by a court as being qualified for appointment as an attorney ad litem for a child in a child protection case on the effective date of this Act shall complete the training required by Section 107.004(b-1) (2), Family Code, as added by this Act, not later than September 1, 2022.

SECTION 3. This Act takes effect September 1, 2021.

Passed the Senate on April 19, 2021: Yeas 30, Nays 1; the Senate concurred in House amendment on May 27, 2021: Yeas 31, Nays 0; passed the House, with amendment, on May 23, 2021: Yeas 90, Nays 53, one present not voting.

Approved June 8, 2021.

Effective September 1, 2021.

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Handout 3

Instructions for Exercise:

1. Quickly read the scenario below.
2. You are the children's court appointed attorney and the children were removed last night, you were appointed today, and you are preparing your case for the first hearing which will occur in 10 to 14 days.
3. Was there anything in the way of trauma that your clients' experienced? If so, what?
4. If there was trauma, how can you do your work for them to reduce the traumatic impact?
5. If there was trauma, what could you do in your work that worsens the traumatic impact?
6. How do you advocate for them in the way of:
 - a. Services prior to the first hearing;
 - b. Family contact, if any, prior to the first hearing; and
 - c. Placement prior to the first hearing.
7. Can you continue to represent all 3 children?

Removal Scenario

Last night, Mr. Smith and Ms. Gonzalez were having dinner at their home in Austin, Texas and were watching the news. Ms. Gonzalez' 3 children were home, Cherish (14), Buddy (10) and her newborn child, Darla. Darla is the only child of Mr. Smith. Cherish and Buddy were working on their remote learning homework. Mr. Smith was recently laid off from his job at a restaurant due to Covid and Ms. Gonzalez had to leave her job a year ago to care for her children and home-school them.

The news about Covid and Afghanistan has been running constantly in the home. Mr. Smith served in the Army and so he was constantly watching the developing news feed. When the dinner was served Mr. Smith allegedly was upset with the quality and lateness of the dinner.

Allegedly Mr. Smith and Ms. Gonzalez were loudly shouting such that the neighbors called 911. When the cops arrived, Ms. Gonzalez was in the kitchen, crying and had a red mark on her cheek, red dots in her eyes and marks around her neck. When interviewing Mr. Smith, he smelled of alcohol and there was an acidic odor in the home. Mr. Smith was fidgeting, had scratch marks on his arms and face, and had a hard time focusing. The home was in disarray. Cherish and Buddy were in their rooms and their eyes were red. Buddy had a red mark on his cheek and Cherish's blouse was ripped.

After the officers interviewed members of the household, CPS was called, and the children were removed from the home by CPS.